



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Shane M. Tulloch; et al.

Application No.: 09/753,328

Filed: Dec. 29, 2000

For: METHOD OF TRANSFORMATIONAL  
BIDDING WITH REBATES AND  
DISCOUNTS

Examiner: Jagdish Patel

Art Unit: 3624

Confirmation No.: 8416

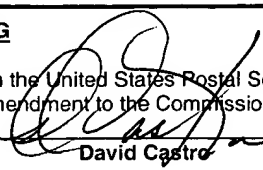
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Enclosed is a copy of Information Disclosure Citation Form PTO-1449 or PTO/SB/08 together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed for applications filed after June 30, 2003). It is respectfully requested that the cited documents be considered and that the enclosed copy of Information Disclosure Citation Form PTO-1449 or PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

FIRST CLASS CERTIFICATE OF MAILING

I, David Castro, hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Mail Stop Amendment to the Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 on 05/16/2005 by:   
David Castro

05/20/2005 RHEBRAFT 00000039 09753328 180.00 0P  
02 FC:1806

Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability.

Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of the appropriate paragraph):

\_\_\_\_\_ 37 C.F.R. §1.97(b).

XXX 37 C.F.R. §1.97(c). If so, then enclosed with this Information Disclosure Statement is one of the following:

\_\_\_\_\_ A statement pursuant to 37 C.F.R. §1.97(e) or

XXX A check for \$180.00 for the fee under 37 C.F.R. § 1.17(p).

\_\_\_\_\_ 37 C.F.R. §1.97(d). If so, then enclosed with this Information Disclosure Statement are the following:

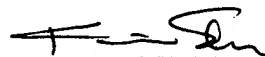
- (1) A statement pursuant to 37 C.F.R. §1.97(e); and
- (2) A check for \$180.00 for the fee under 37 C.F.R. §1.17(p) for submission of the Information Disclosure Statement.

If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: May 16, 2005



Kevin G. Shao  
Reg. No. 45,095

12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, CA 90025  
(408) 720-8300

Substitute for Form 1449/PTO

## INFORMATION DISCLOSURE

## STATEMENT BY APPLICANT

(use as many sheets as necessary)

## Complete if Known

Application Number	09/753,328
Filing Date	December 29, 2000
First Named Inventor:	Shane M. Tulloch
Art Unit	3624
Examiner Name	Patel, Joseph
Attorney Docket Number	3660P021X2

 Sheet **1** of **5**

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (If known)				
		us-	3,637,464	1/25/1972	Walsh et al.	
		us-	3,863,060	1/28/1975	Rode et al.	
		us-	4,597,045	6/24/1986	Kiuchi	
		us-	4,799,156	1/17/1989	Shavit et al.	
		us-	5,629,982	5/13/1997	Micali	
		us-	5,799,285	8/25/1998	Klingman	
		us-	5,803,500	9/8/1998	Mossberg	
		us-	5,809,483	9/15/1998	Broka et al.	
		us-	5,832,496	11/3/1998	Anand	
		us-	5,862,223	1/19/1999	Walker et al.	
		us-	5,897,621	4/27/1999	Boesch et al.	
		us-	5,905,974	5/18/1999	Fraser et al.	
		us-	5,915,209	6/22/1999	Lawrence	
		us-	5,966,699	10/12/1999	Zandi	
		us-	6,014,627	1/11/2000	Togher et al.	

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		EP	0 399 850 A	11/28/1990	Silverman		
		JP	409101994A1	3/11/1998	Inda		
		JP	410078992A	4/15/1997	Mori et al.		
		WO	92/15174	9/3/1992	Grusin et al.		
		WO	98/34187 A1	8/6/1998	Grofhauge et al.		

 Examiner  
Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Substitute for Form 1449/PTO

## INFORMATION DISCLOSURE

## STATEMENT BY APPLICANT

(use as many sheets as necessary)

## Complete if Known

Application Number	09/753,328
Filing Date	December 29, 2000
First Named Inventor:	Shane M. Tulloch
Art Unit	3624
Examiner Name	Patel, Joseph
Attorney Docket Number	3660P021X2

Sheet 2 of 5

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 6,021,398	2/1/2000	Ausubel	
		US- 6,023,685	2/8/2000	Brett et al.	
		US- 6,026,383	2/15/2000	Ausubel	
		US- 6,035,287	3/7/2000	Stallaert et al.	
		US- 6,047,274	4/4/2000	Johnson et al.	
		US- 6,052,108	4/18/2000	Gadd	
		US- 6,055,518	4/25/2000	Franklin et al.	
		US- 6,058,379	5/2/2000	Odom et al.	
		US- 6,061,663	5/9/2000	Bloom et al.	
		US- 6,078,906	6/20/2000	Huberman	
		US- 6,119,229	9/12/2000	Martinez et al.	
		US- 6,131,087	10/10/2000	Luke et al.	
		US- 6,151,589	11/21/2000	Aggarwal et al.	
		US- 6,161,099	12/12/2000	Harrington et al.	
		US- 6,178,431 B1	1/23/2001	Douglas	

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		WO 99/63461	12/9/1999	Dinwoodie		

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

<b>Substitute for Form 1449/PTO</b>  <b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	09/753,328
				Filing Date	December 29, 2000
				First Named Inventor:	Shane M. Tulloch
				Art Unit	3624
				Examiner Name	Patel, Joseph
Sheet	3	of	5	Attorney Docket Number	3660P021X2

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)				
		US-	6,230,146 B1	5/8/2001	Alaia et al. (P019 Iss'd)	
		US-	6,266,652 B1	7/24/2001	Godin et al.	
		US-	6,275,807 B1	8/14/2001	Schirripa	
		US-	6,343,277 B1	1/29/2002	Gaus et al.	
		US-	6,366,891 B1	4/2/2002	Feinberg	
		US-	US-2002-0013631-A1	1/31/2002	Parunak et al.	
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS.

**SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

<b>Substitute for Form 1449/PTO</b>  <b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	09/753,328
				Filing Date	December 29, 2000
				First Named Inventor:	Shane M. Tulloch
				Art Unit	3624
				Examiner Name	Patel, Joseph
Sheet	4	of	5	Attorney Docket Number	3660P021X2
<b>NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published			T <sup>2</sup>
		J. Sairamesh, et al., "Economic Framework for Pricing and Charging in Digital Libraries," D-Lib Magazine, ISSN 1082-9873 (February 1996)			
		Online Bidding Software," Electronic Buyers' News, Issue No. 1072, p. 86, 1/6p (August 25,, 1997)			
		"FairMarket Launches New Self-Serve Auctions," Business Wire, p6161495 (June 16, 1998)			
		"Broadvision Developing First Interactive Commerce Management System to Support Online Sales & Marketing Process; New Software Category Necessary to Interactive Network Architecture," Business Wire, p. 5150152 (May 15, 1995)			
		Lee, Ho Geun, "Do electronic marketplaces lower the price of goods/" Communications of the PCM, V. 41, No. 1, pp. 73-80 (January 1998)			
		"Sold!... To the Lowest Bidder," Computer Finance, Vol. 6, No. 2 (July 1995)			
		"Venture Capitalists Fund Two Massachusetts Internet Related Companies," Boston Globe (January 14, 1998)			
		Von det Fehr, et al., "Predatory bidding in Sequential Auctions," Oxford Economic Papers, Vol. 46, No. 3, p. 345(12) (July 1994)			
		"Moai Technologies Introduces New Categories of Business to Business Auction Software," Business Editors and Computer Writers (March 16, 1998)			
		H. Kikuchi, Michael Harkavy, and J.D. Tygar, Multi-round Anonymous Auction, In Proceedings of the First IEEE Workshop on Dependable and Real-Time E-Commerce Systems, pp. 62-69, June 1998			
		Vigoroso, "Buyers prepare for brave new World of E-Commerce," Purchasing, Vol. 126, No. 6, p. S4(1) (April 22, 1999)			

Examiner Signature	Date Considered
--------------------	-----------------

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English Translation is attached.  
This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

<b>Substitute for Form 1449/PTO</b> <b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	09/753,328
				Filing Date	December 29, 2000
				First Named Inventor:	Shane M. Tulloch
				Art Unit	3624
				Examiner Name	Patel, Joseph
Sheet	5	of	5	Attorney Docket Number	3660P021X2
<b>NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published			T <sup>2</sup>
		"What you need to know to bid in FCC's Narrowband Auction," Washington Telecom News, Vol. 2, No. 26, p. 6(2) (June 27, 1994)			
		M. Reck, "Types of Electronic Auctions," Hochschule St. Gallen			
		C. Wrigley, "Design Criteria for Electronic Market Servers," Electronic Markets, Vol. 7, No. 4 (1997)			
		Wurman et al., "The Michigan Internet AuctionBot: A Configurable Auction Server for Human and Software Agents," Artificial Intelligence Laboratory, University of Michigan (1998)			
		PCT Notification of Transmittal of International Preliminary Examination Report for PCT Counterpart Application No. PCT/US00/08522 Containing International Preliminary Examination Report (November 19, 2001)			

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English Translation is attached.  
This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**  
If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.